HOUSE RESEARCH

Bill Summary

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Overview

This bill deals with insurance claims of holocaust victims and their heirs and beneficiaries. It provides assistance to Minnesota residents who have claims against insurers for deaths or other losses related to the holocaust. It requires certain insurers to provide data for a registry of holocaust-related insurance policies. It affects primarily insurers who do business in Minnesota that issued policies in Europe prior to 1946, or that have an affiliate that did so. The bill provides jurisdiction for holocaust-related claims of Minnesota residents in the courts of this state and extends the right to sue to collect on unpaid claims until the end of 2010. It permits the commissioner to waive the requirements of this bill if the insurer is cooperating with the international commission on holocaust era insurance claims.

Some holocaust victims have had trouble collecting on insurance claims, especially life insurance. Some insurers have at various times required death certificates, required survivors to present the insurance policy, declined to reveal whether the decedent had a policy with that company, and argued that they have no obligation to pay if the insurer's assets and records were seized (nationalized) by certain governments during and after World War II. Homeowner's policies have also been challenging to collect on.

1 Holocaust victims relief.

- **Subd. 1. Definitions.** Defines terms used in this bill.
- **Subd. 2. Assistance to holocaust victims.** Requires the commissioner to help Minnesota residents recover on holocaust-related insurance claims. Permits collaboration with similar programs in other states and with the international commission.
- **Subd. 3. Holocaust insurance company registry.** Permits the commissioner to set up a registry of records of holocaust-related insurance policies and claims. Requires that the data be made available to assist holocaust victims and beneficiaries. Specifies the data privacy status of this data. Permits exchange of data with other states.

- **Subd. 4. Operations of holocaust insurance company registry.** Requires insurers that sold insurance policies to Europeans that were in effect between 1933 to 1945 to provide specified information to the commissioner for use in the registry. The information focuses on the status of unpaid policies from the holocaust era. Permits the commissioner to pay for the registry by assessments on insurers that file with the registry. Permits the commissioner to investigate and examine insurers regarding holocaust-related claims. Permits cooperative arrangements between the commissioner and other insurance regulators and with the international commission. Provides that courts should treat as highly persuasive a finding by the commissioner that a claim should be paid.
- **Subd. 5. Suspension of certificate of authority for failure to comply with this section.**Permits the commissioner to suspend an insurer's authority to do business in this state for failure to comply with this section.
- **Subd. 6. Cooperation with international commission.** Permits the commissioner to suspend the applicability of this section for insurers that are cooperating with the international commission, so long as the commission establishes a satisfactory process within a reasonable period of time.
- **Subd. 7. Private rights of action preserved; venue.** Permits Minnesota residents to sue insurers on holocaust related claims in the district courts of this state, venued in the county in which the plaintiff lives.
- **Subd. 8. Extension of statute of limitations.** Extends until the end of 2010 any statute of limitations that has expired or that would otherwise expire before that date.
- **Subd. 9. Short title.** Gives the short title of this bill.
- **Subd. 10. Expiration.** Provides that this section sunsets December 31, 2010.
- 2 **Effective date.** Effective immediately.